Supreme Court, U.S.
FILED
MAY 7 1971
E. ROBERT SEAVER, CLERK

IN THE

Supreme Court of the United States

October Term, 1970

No. 1469

HOMART DEVELOPMENT CO,
Petitioner,

v.

ROGER JOHN DIAMOND,
PEOPLE'S LOBBY, INC.
WILLIAM DUXLER,
Respondents.

SUPPLEMENT TO PETITION FOR WRIT OF CERTIORARI

The captioned case is pending before the Court on a petition for a writ of certiorari to the California Supreme Court. The national importance of the question presented, and its need for resolution by the Court, has been underscored by a number of developments since the filing of the petition. Some of these developments were brought to the Court's attention in the Supplemental Brief of *Amicus* American Retail Federation.

Petitioner believes that the Court should also be aware that on May 4, 1971, the United States Court of Appeals for the 9th Circuit entered an order in *Tanner v. Lloyd Corp.*, Case No. 25605 (cited at p. 13 n 13 of the Petition), following oral argument therein, suspending submission of that case "pending the allowance or denial of the Petition for Certiorari in the U.S. Supreme Court in [the instant case], and thereafter, if the Petition is allowed, until *Diamond* is decided by the United States Supreme Court." Thus, there is a pressing need for resolution by this Court of the important question presented by this case.

Respectfully submitted,

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May 7, 1971

CERTIFICATE OF SERVICE

I, Alan Raywid, hereby certify that a copy of the following "Supplement to Petition for Certiorari" was mailed, postage prepaid, this 7th day of May, 1971 to the following:

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